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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/821,911 | 04/12/2004 | Houng Joong Kim | A8319.0018/P018-A | 2450 |
| 24998 | 7590 | 01/10/2005 | EXAMINER | |
| DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP | | | COMAS, YAHVEH | |
| 2101 L Street, NW | | | ART UNIT | PAPER NUMBER |
| Washington, DC 20037 | | | 2834 | |

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/821,911

Applicant(s)

KIM ET AL.

Examiner

Yahveh Comas

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-22 is/are pending in the application.
- 4a) Of the above claim(s) 17-22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 10/219,772.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/12/2004
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

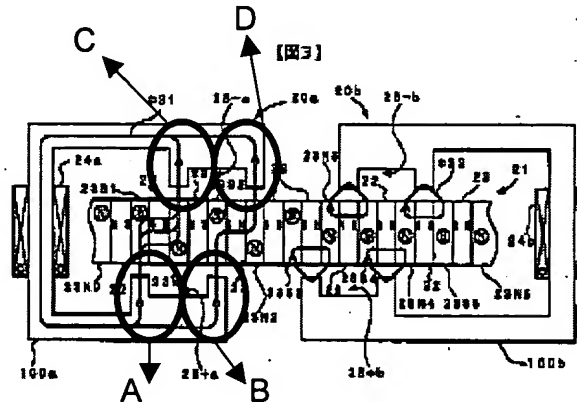
Response to Arguments

Applicant's arguments filed 12/10/2004 have been fully considered but they are not persuasive.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the teeth provided on one magnetic pole are alternately disposed on one side and the other side of a second member) are not recited in the rejected claims 17 and 20. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Claims 17 and 20 disclose a first and second magnetic pole "comprising a magnetic pole tooth disposed on one side of the second member, and a magnetic pole tooth disposed on the other side of the second member, the magnetic pole teeth being alternately disposed in a relative moving direction of the first and second member". The claim 17 and 20 does not claim that the magnetic pole teeth are alternately disposed on each side of the second member. Tanaka, as show in fig. 3, discloses an arrangement wherein a magnetic pole tooth (25+a) are disposed on one side of the second member and the magnetic pole tooth (25-a) are disposed on the other side of the second member, wherein the magnetic teeth (40 or "adjacent teeth A and B") are alternately disposed in a relative moving direction of the first (100a) and second (21) member. Fig. 3, as show below, disclose the adjacent teeth A and B

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alternatively disposed with adjacent teeth C and D in a relative moving direction of the first and second member.



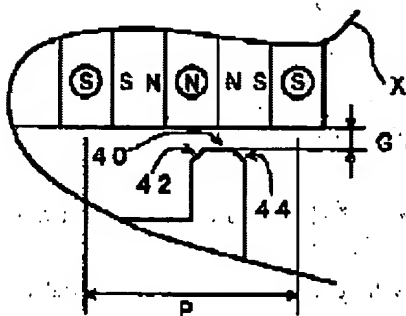
Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 13-14, 16-17, 19-20 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanaka JP Patent No. 10327571 A.



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Claims 17- 22, Tanaka discloses a first member (100) including a magnetic body around which a coil is wound, and a second member (21) comprising a flat plate comprising a permanent magnet (22), wherein the first member (100) includes a first magnetic pole (20a) and a second magnetic pole (20b), the first magnetic pole (20a) comprises a first magnetic pole tooth (25+a) disposed on one side of the second member (21), and a second magnetic pole tooth (25-a) disposed on the other side of the second member (21), the first and second magnetic pole teeth being alternately disposed on the first magnetic pole, the second magnetic pole (20b) comprises a first magnetic pole tooth (25+b) disposed on one side of the second member (21), and a second magnetic pole tooth (25-b) disposed on the other side of the second member (21), the first and second magnetic pole teeth being alternately disposed on the first magnetic pole, the magnetic pole tooth of the first magnetic pole (20a) on the one side of the second member (21) and the magnetic pole tooth of the second magnetic pole on the order side of the second member (21) are opposed to each other via a first gap, the magnetic pole tooth of the first magnetic pole (20a) on the one side of the second member (21) and the magnetic pole tooth of the second magnetic pole on the order side of the second member (21) are opposed to each other via a second gap, the magnetic pole tooth (25a) disposed on the first magnetic pole or the magnetic tooth disposed on the second magnetic pole has a step portion (40), and the width of the step portion (40) adjacent to the permanent magnet is smaller than that of the permanent magnet. Also the height of the step portion (40) is bigger than the gap between said step portion (40) and said second member (21) (see fig 1).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yahveh Comas whose telephone number is (571)272-2020. The examiner can normally be reached on 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/821,911
YC


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